

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MORGAN ART FOUNDATION LIMITED,

Plaintiff,

-against-

MICHAEL MCKENZIE, et al.

Defendants.

Case No. 18-cv-04438-JLR-BCM

**MICHAEL MCKENZIE'S RESPONSE  
TO MOTION TO CONFIRM FINAL ARBITRATION AWARD**

Pursuant to the Court's Order (Dkt. No. 514), Michael McKenzie d/b/a American Image Art ("McKenzie") herein responds to the Motion to Confirm Final Arbitration Award filed by Defendant/Crossclaim-Defendant Nathaniel S. Putnam, as successor to James W. Brannan as Personal Representative of the Estate of Robert Indiana (the "Estate") (at Dkt. Nos. 506, 507)

While Mr. McKenzie disagrees with certain factual findings in the Award, he recognizes the limited grounds available to challenge the Final Award and does not challenge confirmation.

Additionally, this Court should order that the Stipulation and Consent Order Confirming Interim Award and Entering Injunction (Dkt. No. 448) is vacated and superseded by the Final Award which governs these parties going forward pursuant to the terms of both orders.

Date: August 30, 2023

Respectfully submitted,

*/s/ John J.E. Markham, II*

John J.E. Markham, II (JM4744)

Bridget A. Zerner (BZ2582)

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McKenzie dba American Image Art*

**Certificate of Service**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified and paper copies will be sent to any indicated as non-registered participants on August 30, 2023.

/s/ Bridget A. Zerner  
Bridget A. Zerner